



# MINUTES

## JUDICIARY INTERIM COMMITTEE

Wednesday, June 19, 2019 | 1:15 p.m. | 20 House Building

**Members Present:**

Sen. Todd Weiler, Chair  
Rep. Karianne Lisonbee, Chair  
Sen. Kirk A. Cullimore  
Sen. Luz Escamilla  
Sen. Lyle W. Hillyard  
Rep. Cheryl K. Acton  
Rep. Brady Brammer  
Rep. Craig Hall  
Rep. Jon Hawkins  
Rep. Eric K. Hutchings  
Rep. Brian S. King

Rep. Stephanie Pitcher  
Rep. Travis M. Seegmiller  
Rep. Steve Waldrip

**Members Absent:**

Rep. V. Lowry Snow  
Rep. Mark A. Wheatley

**Staff Present:**

Mr. Joseph T. Wade, Policy Analyst  
Ms. Jacqueline Carlton, Associate General Counsel  
Ms. Andrea Crabb, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Lisonbee called the meeting to order at 1:26 p.m.

### 1 . Review of Appellate Decisions that Call for Legislative Action

[Calls for Legislative Action Presentation](#)

[Calls for Legislative Action Table](#)

Ms. Jacqueline Carlton, Associate General Counsel, Office of Legislative Research and General Counsel, provided a presentation on review of Appellate decisions that call for Legislative action.

**MOTION:** Rep. Pitcher moved to study the issue in "State v. Burr" at a future meeting.

**SUBSTITUTE MOTION:** Sen. Weiler moved to open a committee bill file regarding the issue in "State v. Burr." The substitute motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. B. Brammer  
Sen. L. Escamilla  
Rep. C. Hall  
Rep. J. Hawkins  
Sen. L. Hillyard  
Rep. B. King  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. S. Waldrip  
Sen. T. Weiler

Nays-0

Absent-5

Rep. C. Acton  
Sen. K. Cullimore  
Rep. E. Hutchings  
Rep. V. Snow  
Rep. M. Wheatley

**MOTION:** Rep. Brammer moved that the chairs write a letter to the chairs of the Revenue and Taxation Interim Committee suggesting they consider the call for legislative action in "Utah State Tax Commission v. See's Candies." The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. B. Brammer  
Sen. L. Escamilla  
Rep. C. Hall  
Rep. J. Hawkins  
Sen. L. Hillyard  
Rep. B. King  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. S. Waldrip  
Sen. T. Weiler

Nays-0Absent-5

Rep. C. Acton  
Sen. K. Cullimore  
Rep. E. Hutchings  
Rep. V. Snow  
Rep. M. Wheatley

**MOTION:**

Sen. Escamilla moved to open a committee bill file regarding the call for legislative action in "In re K.J." The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. B. Brammer  
Sen. L. Escamilla  
Rep. C. Hall  
Rep. J. Hawkins  
Sen. L. Hillyard  
Rep. B. King  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. S. Waldrip  
Sen. T. Weiler

Nays-0Absent-5

Rep. C. Acton  
Sen. K. Cullimore  
Rep. E. Hutchings  
Rep. V. Snow  
Rep. M. Wheatley

**MOTION:**

Sen. Hillyard moved to open a committee bill file regarding the call for legislative action in "Armendariz v. Armendariz." The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. B. Brammer  
Sen. L. Escamilla  
Rep. C. Hall  
Rep. J. Hawkins  
Sen. L. Hillyard  
Rep. B. King  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. S. Waldrip  
Sen. T. Weiler

Nays-0Absent-5

Rep. C. Acton  
Sen. K. Cullimore  
Rep. E. Hutchings  
Rep. V. Snow  
Rep. M. Wheatley

**2 . Committee Business****MOTION:**

Sen. Weiler moved to approve the May 15, 2019, meeting minutes. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. B. Brammer  
Sen. L. Escamilla  
Rep. C. Hall  
Rep. J. Hawkins  
Sen. L. Hillyard  
Rep. B. King  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. S. Waldrip  
Sen. T. Weiler

Nays-0Absent-5

Rep. C. Acton  
Sen. K. Cullimore  
Rep. E. Hutchings  
Rep. V. Snow  
Rep. M. Wheatley

**3 . What is "The Problem"?**

Rep. Stephanie Pitcher discussed creating an address confidentiality program for victims of violent crime. and answered questions from the committee.

Ms. Darcy Goddard, Salt Lake County District Attorney's Office, explained the proposed program and answered questions from the committee.

**4 . Asset Forfeiture**

[Draft legislation "Asset Forfeiture Changes" \(2020FL-0331/003\)](#)

Sen. Todd Weiler introduced the topic.

Ms. Jacqueline Carlton walked the committee through the draft bill and answered questions from the committee.

Mr. Dan Burton, Utah Attorney General's Office, discussed the draft bill and answered questions from the committee.

Mr. Connor Boyack, Libertas Institute, discussed the draft bill.

Mr. Jeff Buhman, Statewide Association of Prosecutors, discussed the draft bill and answered questions from the committee.

**5 . Assessment and Treatment of a Substance Use Disorder**

Rep. LaWanna Shurtleff discussed treatment of a substance use disorder.

Mr. Oscar Mata discussed how an assessment center handles treatment.

Mr. Michael Drechsel, Administrative Office of the Courts, stated the role of the courts in ordering substance use disorder treatment and answered questions from the committee.

Mr. Brent Kelsey, Division of Substance Abuse and Mental Health, Department of Human Services, discussed the assessment and treatment and answered questions from the committee.

Ms. Christina Zidow, Odyssey House, provided her perspective as a clinical social worker.

Mr. Santiago Cortez, Association of Utah Substance Abuse Professionals, addressed the availability of treatment centers and answered questions from the committee.

Rep. LaWanna Shurtleff gave closing comments.



Mr. William Carlson, Salt Lake County District Attorney's Office, commented.

## 6 . Other Items/Adjourn

**MOTION:** Sen. Weiler moved to adjourn. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. C. Acton  
Rep. B. Brammer  
Sen. L. Escamilla  
Rep. C. Hall  
Rep. J. Hawkins  
Sen. L. Hillyard  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. S. Waldrip  
Sen. T. Weiler

Nays-0

Absent-5

Sen. K. Cullimore  
Rep. E. Hutchings  
Rep. B. King  
Rep. V. Snow  
Rep. M. Wheatley

Chair Lisonbee adjourned the meeting at 3:33 p.m.